



Alternative Relief Cheat Sheet

	Pardon / “Executive Clemency” by the Governor Art. V of Ill. Constitution	Certificate of Eligibility for Sealing 730 ILCS 5/3-3-2	Certificate of Eligibility for Expungement (Military) 730 ILCS 5/3-3-2
What is it?	Allows someone to expunge or seal any record not otherwise eligible. Note: most Petitions are not granted.	Certificate that allows someone to petition for a sealing of a Class 3 or Class 4 Felony that is not otherwise eligible to seal.	Certificate that allows someone to petition for an expungement of a Class 3 or Class 4 felony that occurred before enlistment.
Requirements	Illinois convictions only There are no time requirements. However, the longer, the stronger chance the pardon will be granted.	<ul style="list-style-type: none"> • 5 years since completing the sentence • No arrests occurred since • Illinois conviction • Class 3 or 4 Felony • Not eligible for sealing • Not a crime of violence, sex, DUI or gun charges • No pending pardon petition 	<ul style="list-style-type: none"> • Must be a veteran or enlistee that has completed a tour • No time constraints • Class 3 or 4 Felony • Illinois conviction • Not a firearm offense or crime of violence
Procedure	<ol style="list-style-type: none"> 1. File a Petition with the Illinois Prisoner Review Board (this is a hefty process, if considering, do some research) 2. Hearing will be set to hear the case and any objections filed 3. If granted, the Petition will be sent to the Governor. 4. After pardon is granted, still need to Request to have the record Expunged or Sealed If Denied → must wait 1 year to refile	<ol style="list-style-type: none"> 1. File a petition with the Illinois Prisoner Review Board 2. Hearing by the board if needed If Denied → must wait 4 years to reapply OR for a pardon Only one case in a lifetime can be granted.	<ol style="list-style-type: none"> 1. File a petition with the Illinois Prisoner Review Board 2. Hearing by the board if needed If Denied → must wait 4 years to reapply OR for a pardon
Where to find more information	<ul style="list-style-type: none"> • PRB Website: https://www2.illinois.gov/sites/prb/pages/prbexcemex.aspx • https://www.illinoislegalaid.org/legal-information/applying-executive-clemency 	<ul style="list-style-type: none"> • PRB Website: https://www2.illinois.gov/sites/prb/pages/certificateofsealing.aspx 	<ul style="list-style-type: none"> • PRB Website: https://www2.illinois.gov/sites/prb/Pages/CertificateofExpungementforMilitary.aspx
Notes			

	Heath Care Waiver 225 ILCS 46/25	Certificate of Good Conduct 730 ILCS 5/5-5.5-30	Certificate of Relief from Disabilities 730 ILCS 5/5-5.5-5												
What is it?	Required to work in an unlicensed position in the health care field if the conviction is disqualifying.	Certificate that allows an individual to overcome express or implied statutory barriers to a position (e.g. schools or transit) by providing employer immunity from claims of negligence.	May overcome express or implied statutory barriers for 27 enumerated licenses (e.g. barber, nail tech, or massage therapist)												
Requirements	<ul style="list-style-type: none">Case from any jurisdiction (even outside of Illinois)Disqualifying crimeUnlicensed medical positionWaiting period has passed: <table><tr><th>#</th><th>Misd.</th><th>Felony</th></tr><tr><td>1</td><td>1 year</td><td>3 years</td></tr><tr><td>2–3</td><td>3 years</td><td>5 years</td></tr><tr><td>4+</td><td>5 years</td><td>10 years</td></tr></table> <p>Crimes of violence = 10 yr waiting period</p>	#	Misd.	Felony	1	1 year	3 years	2–3	3 years	5 years	4+	5 years	10 years	<ul style="list-style-type: none">No more than 2 felony offenses1 yr if most serious crime was a misd.2 yr if most serious crime was a felonyClear and convincing evidence of good conduct:<ul style="list-style-type: none">You have conducted yourself in a manner warranting issuanceRelief is consistent with your rehabilitationRelief is consistent with the public interest.Convictions from any jurisdictionNOT arson, kidnapping, aggravated DUI, or aggravated domestic battery or anything that requires a registration.	<ul style="list-style-type: none">No more than 2 felony offensesIllinois convictionNo waiting period (can even be heard while on probation or parole)NOT arson, kidnapping, aggravated DUI, or aggravated domestic battery or anything that requires a registration.
#	Misd.	Felony													
1	1 year	3 years													
2–3	3 years	5 years													
4+	5 years	10 years													
Procedure	Apply through the Illinois Department of Public Health Note: some crimes required an automatic appeal (e.g. crimes of violence) If Denied → written appeal	File through the Circuit Court where convicted of the crime. Statewide form on the Illinois Supreme Court website. If Denied → Motion to Reconsider	File through the Circuit Court where convicted of the crime. If Denied → Motion to Reconsider												
Where to find more information	<ul style="list-style-type: none">Official website: http://www.dph.illinois.gov/topics-services/health-care-regulation/health-care-worker-registry#forms-forms-health-care-worker	<ul style="list-style-type: none">Illinois Statewide Form: http://www.illinoiscourts.gov/Forms/approved/good_conduct/certif_good_conduct.asphttps://www.illinoislegalaid.org/legal-information/certificates-good-conduct-and-relief-disabilities	<ul style="list-style-type: none">https://www.illinoislegalaid.org/legal-information/certificates-good-conduct-and-relief-disabilitiesExample Petition: http://www.cookcountyclerkofcourt.org/g/Forms/pdf_files/CCCRN510.pdf												
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	PERC “Permanent Employee Registration Card”	Certificate of Innocence 735 ILCS 5/2-702	Other Notes
What is it?	Required licensing to be a security guard . Good option for folks who want to go into police work, but have sealed felony records.	A type of post-conviction relief. This certificate may help you get a settlement from the Illinois Court of Claims.	
Requirements	<ul style="list-style-type: none"> • No time restrictions • Any conviction • Any jurisdiction • Cannot owe child support 	Must prove by a preponderance of the evidence that the judgment of conviction was reversed or vacated and that the indictment or information was dismissed - or if a new trial had been ordered, that you were found not guilty at the new trial. Also, you must prove that you did not, by your own conduct, voluntarily cause or bring about your conviction.	
Procedure	Apply through the Illinois Department of Financial and Professional Regulation <ul style="list-style-type: none"> • Presumed rehabilitated if conviction is older than 10 years. • Sealed or expunged records will not be considered as disqualifying. If Denied → will receive a “Letter of Intent to Deny” with a set hearing date.	File in the criminal case.	
Where to find more information	<ul style="list-style-type: none"> • https://ilesonline.idfpr.illinois.gov/DFPR/Default.aspx • www.idfpr.com/renewals/perc.asp 	<ul style="list-style-type: none"> • Example Petition: http://www.cookcountyclerkofcourt.org/Forms/pdf_files/CCCRN715.pdf 	
Notes			

For updates on alternative relief: <https://www.illinoislegalaid.org/legal-information/other-options-if-i-cannot-expunge-or-seal-my-record>
 Obtaining a FOID Card with a criminal record information: <https://www.illinoislegalaid.org/legal-information/getting-foid-card-work>